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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/320,822	05/27/1999	WILLIAM VREELAND	5917-04-CWA	5440

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EXAMINER

PETERSON, KENNETH E

ART UNIT PAPER NUMBER

3724

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/320,822

Applicant(s)

VREELAND ET AL.

Examiner

Kenneth E Peterson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Creasy et al.'287, who shows a razor blade unit with all of the recited limitations including a glide strip having a middle layer (film or fabric, line 59, column 3) and a surface having a thickness that encompasses Applicant's claimed range (line 65, column 3). As seen in example 1 on column 8, the surfaces comprises a xerogel having 4g polyvinylpyrrolidone and 2g polyurethane, for a PVP/PUR ratio of 2. Both homopolymers and copolymers are included (lines 49-50, column 6).

In regards to claim 7, the xerogel has a coefficient of friction of less than 0.25 (line 30, column 8).

In regards to claim 8, fragrance can be added (lines 51,52, column 7).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Creasy et al.'28, who shows all of the recited limitations except for the two colors on different layers.

Examiner takes Official Notice that it is old and well known to employ two different colors on different layers of the glide strip. An example of this is Welsh.

Welsh teaches the use of a two color hydrogel shaving aid composite formed by applying a first coating of first color and a second coating of a second color as a wear indicator for a razor (column 8, lines 19-23). Welsh discloses that the two color system of wear indication may be used in any of a variety of shaving aid composites (column 3, lines 34-38). Welsh also discloses that the thickness of the coatings are selected such that sufficient wearing occurs during the useful life of the corresponding blade so that the second color is indicative of the limited remaining available useful life of the product (column 8, lines 23-27). Since this is well known and shown by Welsh, it would have been obvious to one of ordinary skill in the art to have modified Creasy by making the layers have different colors in order to provide the user with a visual indication of the relative usage of the razor.

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thoene '221.

Thoene discloses the invention substantially as claimed, including a razor blade unit (1) with one or more blades (3) and (4), a glide strip (7) containing a surface (8) and a middle layer (Figure 2 and column 6, lines 1-6) and a xerogel on the surface (column 5, lines 58-59) which is comprised of a homogeneous mixture of homopolymers and copolymers of polyvinyl pyrrolidone and polyurethane (column 2, lines 60-65). See Figures 1 and 2. Thoene also discloses that the xerogel becomes a

lyogel with a coefficient of friction less than 0.25 upon absorption of a dispersion medium (column 2, lines 31-33). The surface has a thickness range that encompasses Applicant's claimed ranges (line 37, column 3).

However, Thoene does not disclose a PVP/PUR ratio which is less than 3:1, less than 2.5:1 or in the range of 2.5:1 to 1.5:1, or a fragrance. Examiner takes Official Notice that it is well known to employ PVP/PUR ratios of 2 and to add fragrances in razor glide strips. An example of such is the patent to Creasy et al.'287, who teaches the use of polyurethane/polyvinyl pyrrolidone blends in razor glide strip applications into which additional materials, such as fragrances, can be incorporated. Since it is well known and taught by Creasy, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Thoene to have a PVP/PUR ratio of 2, in order to achieve the advantageous slipperiness and low degradation level espoused by Creasy (lines 23-33, column 8), and to add a fragrance, as is well known and taught by Creasy (line 51,52, column 8), in order to smell better.

In regards to claim 9, Examiner takes Official Notice that it is old and well known to employ two different colors on different layers of the glide strip. An example of this is Welsh, who teaches the use of a two color hydrogel shaving aid composite formed by applying a first coating of first color and a second coating of a second color as a wear indicator for a razor (column 8, lines 19-23). Welsh discloses that the two color system of wear indication may be used in any of a variety of shaving aid composites (column 3, lines 34-38). Welsh also discloses that the thickness of the coatings are selected such that sufficient wearing occurs during the useful life of the corresponding blade so that

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the second color is indicative of the limited remaining available useful life of the product (column 8, lines 23-27). Since this is well known and shown by Welsh, it would have been obvious to one of ordinary skill in the art to have modified Thoene by making the layers have different colors in order to provide the user with a visual indication of the relative usage of the razor.

6. Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues that Creasy does not teach a xerogel with a PVP/PUR ratio of less than 3:1. However, Creasy does exactly that in Example 1 on lines 23-33 of column 8.

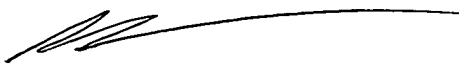
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken Peterson at 571-272-4512, on Monday-Thursday, 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap, can be reached at 571-272-4514. In lieu of mailing, it is encouraged that papers be faxed to 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. For more information about the PAIR system, see <http://pair-direct.uspto.gov> or call the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

kp

February 10, 2005



KENNETH E. PETERSON
PRIMARY EXAMINER